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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF WASHINGTON

10 UNITED STATES OF AMERICA, )  
11 ) 2:20-CR-0022-TOR  
12 Plaintiff, )  
13 v. ) SENTENCING MEMORANDUM  
14 JAMES MATTHEW ETHRINGTON, )  
15 )  
16 Defendant. )

17 Plaintiff, United States of America, by and through, William D. Hyslop, United  
18 States Attorney for the Eastern District of Washington, and Caitlin Baunsgard,  
19 Assistant United States Attorney for the Eastern District of Washington, submits the  
20 following Sentencing Memorandum.  
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22 **A. PRE-SENTENCE INVESTIGATION REPORT:**

23 The United States has no objections to the PSIR. The United States is not  
24 aware of any defense objections. The United States recommends the Court adopt the  
25 PSIR without change.  
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1 **B. SENTENCING RECOMMENDATION:**

2 Based on the totality of the circumstances, and under the terms of the Plea  
3 Agreement, the United States is recommending the Court accept the Fed. R. Crim. P.  
4 11(c)(1)(C) plea agreement and sentence the Defendant to a term of incarceration at  
5 the high-end of that range. This constitutes the low-end of the advisory guideline  
6 range. The United States respectfully submits such a sentence would be sufficient but  
7 not greater than necessary to accomplish the goals of sentencing and achieve an  
8 appropriate balance of the 18 U.S.C. § 3553(a) factors.  
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11 The Defendant has unquestionably been convicted of a very serious crime. The  
12 Defendant was engaged in very significant drug trafficking. The social and economic  
13 costs associated with such actions cannot even be realistically quantified. The damage  
14 the drugs this Defendant were peddling cause irreparable harm to the community in  
15 general as well as to families.  
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18 The Defendant engaged in this conduct already having engaged in repetitive  
19 criminal conduct. As outlined in the PSIR, his criminal history began when he was 18  
20 and has been relatively consistent until the present time. At just age 33, he has already  
21 amassed a staggering 28 criminal history points – over double the amount needed to  
22 attain Criminal History Category VI. It is clear from his criminal history, he is  
23 entrenched in this lifestyle – a thief, a drug dealer, and a clear danger to the  
24 community. He does not appear to have an interest in changing.  
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1 The Defendant has unquestionably demonstrated by his repeated conduct that  
2 he has no interest in being a productive member of society – he is only interested in  
3 using and abusing society for his own personal gain. In addition to a clear lack of  
4 respect for the law, the Defendant’s criminal history evidences a lack of respect for  
5 the justice system – with many failure to appears and failure to complies on his record.  
6 The Defendant feels that he is above the law. He either thinks there will not be  
7 consequences for his actions, or, he doesn’t care. The Defendant’s choices call for the  
8 Court to protect society from the Defendant. A lengthy term of incarceration is  
9 necessary to protect the public from the Defendant’s future criminal activities.  
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13 The United States respectfully submits, based on the Defendant’s choice to  
14 continue with his criminal endeavors, the Court should choose to protect society from  
15 this Defendant and sentence this Defendant to a very lengthy period of incarceration.  
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17 DATED this 19th day of November, 2020.

18 William D. Hyslop  
19 United States Attorney

20 *s/ Caitlin Baunsgard*  
21 Caitlin Baunsgard  
22 Assistant United States Attorney  
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 19, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Zachary Ayers: [zach@ayerslawfirm.net](mailto:zach@ayerslawfirm.net)

*s/ Caitlin Baunsgard*  
Caitlin Baunsgard  
Assistant United States Attorney